

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on February 9, 2007 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 138, 2/1/2007; HB 373, 2/1/2007
Executive Action: Committee Bill LC 2545

00:01:20 Vice-Chairman Heinert took over the Chair

HEARING ON HB 138 AND HB 373

Opening Statement by Sponsor:

00:02:26 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 138, Groundwater appropriations in closed basins and HB 373, Revise water use act.

EXHIBIT (nah29a01)

Proponents' and Opponents' Testimony:

00:16:38 Mary Sexton, Department of Natural Resources and Conservation (DNRC) (Proponent HB 138)

EXHIBIT (nah29a02)

EXHIBIT (nah29a03)

EXHIBIT (nah29a04)

00:29:09 Bernie Jones, Three Forks, Montana (Opponent HB 138 and Proponent HB 373)

00:33:23 John Bloomquist, Montana Stockgrowers' Association (Opponent 138 and Proponent 373)

EXHIBIT (nah29a05)

00:46:59 Holly Franz, Pacific Power and Light (PPL) Montana (Proponent HB 138)

EXHIBIT (nah29a06)

00:53:02 Fred Lurie, Clark Fork River Basin Task Force (Proponent HB 138)

EXHIBIT (nah29a07)

00:57:29 David Schmidt, Water Rights Solutions, Incorporated (Proponent HB 373)

EXHIBIT (nah29a08)

00:59:01 John McGuire, White Sulphur Springs, Montana (Proponent HB 138; Opponent HB 373)

01:00:54 Mick Seeburg, Association of Gallatin Irrigators (Proponent HB 138 and Opponent HB 373)

EXHIBIT (nah29a09)

01:09:09 Dusty Crary (Proponent HB 138 and Opponent HB 373)

01:11:13 Glenn Oppel, Montana Association of Realtors (MAR) (Opponent HB 138 and Proponent HB 373)

EXHIBIT (nah29a10)

01:16:06 Abigail St. Lawrence, MAR (Opponent HB 138 and Proponent HB 373)

01:19:52 David Pruitt (Proponent HB 138 and Opponent HB 373)

01:25:27 John Youngberg, Montana Farm Bureau (Proponent HB 373)

01:28:37 Mike Murphy, Montana Water Resources Association (Opponent HB 138 and HB 373)

01:31:11 Lyle Manley, Montana Department of Transportation
(Proponent HB 138)
01:32:58 Dustin Stewart, Montana Building Industry Association
(Opponent HB 138 and Proponent HB 373)
01:33:54 Bob Lane, Department of Fish, Wildlife, and Parks
(Proponent HB 138 and Opponent HB 373)
01:40:29 Stan Bradshaw, Trout Unlimited (Proponent HB 138 and
Opponent HB 373)

EXHIBIT (nah29a11)

01:46:28 Mike Kaczmarek, American Consulting Engineers (Opponent
HB 138 and Proponent HB 373)
01:49:16 Jacqueline Lenmark, Montana Water Well Drillers'
Association (Opponent HB 138 and Proponent HB 373)

EXHIBIT (nah29a12)

01:51:23 Joe Miller, Irrigator, West Yellowstone, Montana
01:52:39 Matt Christiansen, Dillon, Montana (Opponent HB 138 and
Proponent HB 373)
01:54:59 Mark Jasmann, Rancher, Madison Valley (Opponent HB 138
and Proponent HB 373)
01:56:08 Hertha Lund, Water Lawyer (Opponent HB 138 and HB 373)

EXHIBIT (nah29a13)

02:02:58 John Dunlap, Developer, Gallatin County (Opponent HB 138
and HB 373)

EXHIBIT (nah29a14)

02:08:24 Tony Kolnik (Opponent HB 138 and HB 373)

EXHIBIT (nah29a15)

02:14:43 Al Jaeger, G-2 Consulting, Bozeman, Montana (Opponent
HB 138 and HB 373)

EXHIBIT (nah29a16)

02:17:56 Rosie Foust, Four Corners, Bozeman, Montana (Opponent
HB 138 and HB 373)
02:22:22 Clinton Cain, Four Corners, Bozeman, Montana (Opponent
HB 138 and HB 373)

EXHIBIT (nah29a17)

02:30:48 Paul Shennum, Four Corners, Bozeman, Montana (Opponent
HB 138 and HB 373)

EXHIBIT (nah29a18)

02:40:08 David Schuett, Dillon, Montana (Opponent HB 138 and
Proponent HB 373)
02:46:20 Barbara Campbell, Utility Solutions (Proponent HB 138
and Opponent HB 373)
02:48:11 Walt Sales, (Proponent HB 138 and Opponent HB 373)
02:48:30 Joe Gutkoski, Montana River Action (Opponent HB 138 and
HB 373)
02:48:54 Nick Schutter, Gallatin County Farmer (Proponent HB
138)

Informational Testimony:

02:49:26 Tom Patton, Montana Bureau of Mines and Geology

Questions from Committee Members and Responses:

02:49:52 Rep. Barrett

02:50:18 Ms. Sexton

02:51:13 Rep. Erickson

02:51:51 Ms. Lund

Closing by Sponsor:

02:52:45 Rep. McNutt

EXECUTIVE ACTION ON COMMITTEE BILL LC 2545

02:57:47 **Motion:** Rep. Lambert moved **ADOPTION FOR DRAFTING** of
Committee Bill LC 2545.

EXHIBIT (nah29a19)

Discussion:

02:58:14 Krista Evans

02:58:32 **Vote:** Motion carried unanimously by voice vote.

Additional Exhibits:

Document pertaining to HB 373 received after completion of
Hearing and Minutes

EXHIBIT (nah29a20)

ADJOURNMENT

02:59:16 Adjournment: 6:25 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah29aad.pdf](#))